

ATTACHMENT C

**VIRGINIA BOARD OF FUNERAL DIRECTORS & EMBALMERS
JUSISPRUDENCE EXAMINATION
RFP NO. FDE-2005-14**

**RESIDENT TRAINEE REGULATIONS
FOR
FUNERAL DIRECTORS AND EMBALMERS**

18 VAC 65-40-10 et seq.

Effective: February 26, 2003

Commonwealth of Virginia



REGULATIONS

OF THE

VIRGINIA BOARD OF FUNERAL

DIRECTORS AND EMBALMERS

Title of Regulations:
Regulations for Resident Trainee Programs
18 VAC 65-40-10 et seq.

Revised Date: February 26, 2003

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PART I. GENERAL PROVISIONS.

18 VAC 65-40-10. Definitions.

In addition to words and terms defined in § 54.1-2800 of the Code of Virginia, the following words and terms, when used in these regulations, shall have the following meanings, unless the context clearly indicates otherwise:

"Direct supervision" means that a licensed funeral service professional is present and on the premises of the facility.

"Full-time school attendance" means that the individual attending mortuary science school is enrolled in 12 or more semester hours of coursework per semester.

"Supervisor" means a licensed employee at the training site who has been approved by the board to provide supervision for the resident trainee.

"Training site" means the licensed funeral establishment which has agreed to serve as the location for resident training and has been approved by the board for the training.

18 VAC 65-40-40. Fees.

A. The following fees shall be paid as applicable for registration:

1. Funeral service resident trainee registration, reinstatement, or renewal	\$75
2. Late fee for renewal up to 30 days after expiration	\$25
3. Duplicate copy of trainee registration	\$25
4. Returned check	\$25
5. Change of supervisor	\$15

B. Fees shall be made payable to the Treasurer of Virginia and shall not be refundable once submitted.

18 VAC 65-40-90. Renewal of registration.

A. The resident trainee registration shall expire on January 31 of each calendar year and may be renewed by submission of the renewal notice and prescribed fee.

B. A person who fails to renew a registration by the expiration date shall be deemed to have an invalid registration. No credit will be allowed for a traineeship period served under an expired registration.

C. The resident trainee is responsible for notifying the board of any changes in name, address, employment, or supervisor. Any notices shall be validly given when mailed to the address on record with the board.

18 VAC 65-40-110. Reinstatement of expired registration.

- A. The board may consider reinstatement of an expired registration for up to three years following expiration. A written application request for reinstatement shall be submitted to the board and shall include payment of all applicable fees.
- B. When a registration is not reinstated within three years of its expiration date, a new application for registration shall be filed and a new training program begun.

PART II. TRAINEE PROGRAM REQUIREMENTS.

18 VAC 65-40-130. Resident training.

- A. The trainee program shall consist of at least 18 months of resident training.
- B. An individual may hold an active traineeship registration for a maximum of 48 months from the date of initial registration for the traineeship program. The board, in its discretion, may grant an extension of the traineeship registration.
- C. A resident trainee shall not attend school full time while serving his traineeship.

18 VAC 65-40-160. Trainee work schedule.

Every resident trainee shall be assigned a full-time work schedule of at least 40 hours each week in order to obtain credit for such training. The trainee shall be required to receive training in all areas of funeral service. Additional and further hours may be at the discretion of the supervisor or may be a requirement of the facility.

18 VAC 65-40-180. Trainee application package.

- A. Any person who meets the qualifications of § 54.1-2817 of the Code of Virginia may seek registration with the board as a trainee under the Program for Training of Resident Trainees by submission of an application package, which shall include: documentation of the qualifications and signatures of any supervising licensees.
- B. With the exception of school transcripts, all parts of an application package, including the required fee and any additional documentation as may be required to determine eligibility, shall be submitted simultaneously.

18 VAC 65-40-201. Failure to register.

If the resident traineeship is not approved by the board prior to initiation of training, no credit shall be allowed for the length of time served.

18 VAC 65-40-210. Training sites.

- A. Funeral training shall be given at the licensed funeral service establishment or at any branch of such establishment that complies with the provisions of this chapter and is approved by the board as a training site.
- B. An individual, firm, or corporation owning or operating any funeral service establishment shall apply to and be approved by the board prior to permitting funeral training to be given or conducted in the establishment.

18 VAC 65-40-220. Qualifications of training site.

The board shall approve only an establishment or two combined establishments to serve as the training site or sites which:

1. Have a full and unrestricted Virginia license;
2. Have complied in all respects with the provisions of the regulations of the Board of Funeral Directors and Embalmers; and
3. Have 35 or more funerals and 35 or more bodies for embalming over a 12-month period for each person to be trained. This total must be maintained throughout the period of training. If the establishment does not meet the required number of funerals or embalmings, the resident trainee may seek approval for an additional training site.

18 VAC 65-40-250. Requirements for supervision.

- A. Training shall be conducted under the direct supervision of a licensee or licensees approved by the board.
- B. The board shall approve only funeral service licensees, licensed funeral directors, or licensed embalmers to give funeral training who have a full and unrestricted Virginia funeral license and are employed full-time in the establishment where training occurs.
- C. A supervisor licensed as an embalmer or a funeral director shall provide supervision only in the areas of funeral practice for which he is licensed.
- D. Failure to register as a supervisor may subject the licensee to disciplinary action by the board.

18 VAC 65-40-280. Supervisor application package.

- A. A licensee seeking approval by the board as a supervisor shall submit a completed application and any additional documentation as may be required to determine eligibility.
- B. The application for supervision of a resident trainee shall be signed by the establishment manager and by the persons who will be providing supervision for embalming and for the funeral services.

18 VAC 65-40-300. Interruption and reinstatement.

- A. If the program is interrupted, the trainee shall obtain a new supervisor and submit a new application for approval.
- B. Credit shall only be allowed for training under direct supervision. Credit for training shall resume when a new supervisor is approved by the board and the applicant has been reinstated.

18 VAC 65-40-320. Report to the board: six-month report; partial report; final report.

- A. The trainee, the supervisor or supervisors, and the establishment shall submit a written report to the board at the end of every six months of training. The report shall:
 - 1. Verify that the trainee has actually served in the required capacity during the preceding six months; and
 - 2. Be received in the board office no later than 10 days following the end of the six-month period. Late reports may result in additional time being added to the traineeship.
- B. If the training program is terminated or interrupted prior to completion of a six-month period, the trainee and the supervisor shall submit a partial report to the board with a written explanation of the cause of program termination or interruption.
 - 1. The partial report shall provide the amount of time served and the dates since the last reporting period. Credit for partial reports shall be given in increments of one month.
 - 2. Partial reports shall be received in the board office no later than 10 days after the interruption/termination of the trainee program. Credit may be deducted for late reports.

18 VAC 65-40-330. Failure to submit training report.

If the trainee, supervisor, or establishment manager fails to submit the reports required in 18 VAC 65-40-320, the trainee may forfeit all or partial credit for training or disciplinary action may be taken against the trainee, supervisor and establishment manager.

PART III. TRAINING PROGRAM: FUNERAL SUPERVISORS' RESPONSIBILITIES.

18 VAC 65-40-340. Supervisors' Responsibilities.

- A. The supervisor shall provide the trainee with all applicable laws and regulations or sections of regulations relating to the funeral industry.
- B. The supervisor shall provide the trainee with copies of and instruction in the use of all forms and price lists employed by the funeral establishment.
- C. The supervisor shall provide the trainee with instruction in all aspects of funeral services and shall allow the trainee under direct supervision to conduct all necessary arrangements for a minimum of 25 funerals.

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- D. The embalming supervisor shall provide instruction on all necessary precautions, embalming functions, and reporting forms and shall allow the trainee under direct supervision to perform a minimum of 25 embalmings.
 - E. The supervisor shall provide the trainee with instruction in making preneed funeral arrangements and instruction on the laws and regulations pertaining to preneed funeral contracts and disclosures.

PART IV. REFUSAL, SUSPENSION, REVOCATION, AND DISCIPLINARY ACTION.

18 VAC 65-40-640. Disciplinary action.

The board may refuse to issue or renew a license, registration, or approval to any applicant; and may suspend for a stated period of time or indefinitely, or revoke any license, registration, or approval, or reprimand any person, or place his license or registration on probation with such terms and conditions and for such time as it may designate or impose a monetary penalty for failure to comply with the regulations of the Board of Funeral Directors and Embalmers.